



GODDARD SPACE FLIGHT CENTER

## GSFC STI PUBLIC DISCLOSURE EXPORT CONTROL CHECKLIST

**Title:**

**Instructions** – This checklist is used for the disclosures of STI, and ITAR or EAR controlled information.

For STI (scientific and technical information) disclosures subject to NPG 2200.2 (Guidelines for Documentation, Approval, and Dissemination of STI), this checklist should be forwarded with the NASA Form 1676 (NASA Scientific and Technical Document Availability Authorization (DAA)). For all other ITAR (International Traffic in Arms Regulations, 22 CFR 120-130) and EAR (Export Administration Regulations, 15 CFR 730-774) disclosures, this checklist should be forwarded with a copy of the information to the GSFC Export Control Office for review/approval. Completion of this checklist should minimize delays in approving most requests.

### Background Information

The GSFC Export Control Office (Code 232) requests your assistance in assuring that your proposed disclosure (e.g., document, publication, presentation, or data) of NASA STI complies with the ITAR and the EAR. The NASA Export Control Program requires that every domestic and international release of GSFC STI be reviewed through the GSFC Export Control Office in accordance with the NASA Form 1676 process. Release of NASA information into a public forum may provide access to NASA technology to those countries with interests adverse to the United States. Failure to comply with the ITAR and/or the EAR may subject individuals to fines of up to \$1 million and/or up to ten years imprisonment per violation.

Generally, the export of information pertaining to the design, development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of defense articles (e.g., space flight hardware, ground tracking systems, launch vehicles to include sounding rockets and meteorological rockets, radiation hardened hardware and associated hardware and engineering units for these items) are controlled by the State Department under the ITAR. The export of information with respect to ground based sensors, detectors, high-speed computers, and “dual use” (military/commercial) technology items are controlled by the Commerce Department under the EAR. A complete listing of items covered by the ITAR and the EAR can be accessed at <http://export.gsfc.nasa.gov>. If the information intended for release falls within the above categories but fits into one or more of the following exemptions, the information may be released.

### EXEMPTION I – Public domain information

If your information is already in the public domain in its entirety through a non-NASA medium and/or through a NASA release previously approved by any NASA Export Control Office, the information is exempt. If the information falls into this category, you may attest that you are using this exemption by signing below.

\_\_\_\_\_  
Print Name and Code

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### EXEMPTION II – Scientific data

If your information pertains exclusively to the release of scientific data (e.g., data pertaining to studies of clouds, soil, vegetation, oceans, planets, stars, galaxies and the universe) without the disclosure of information pertaining to articles controlled by the ITAR or EAR, such as flight instruments, high-speed computers, or launch vehicles, the information is exempt. If the information falls into this category, you may attest that you are using this exemption by signing below.

\_\_\_\_\_  
Print Name and Code

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



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## GSFC STI PUBLIC DISCLOSURE EXPORT CONTROL CHECKLIST *CONTINUED*

### EXEMPTION III – General purpose information

If your information falls into the ITAR or EAR areas of concern as referenced above, but is offered at a general purpose or high level (e.g., poster briefs and overviews) where no detailed technical information (e.g., design, development, production, or manufacturing) pertaining to ITAR or EAR controlled items is offered, the information is exempt. If the information falls into this category you may attest that you are using this exemption by signing below.

\_\_\_\_\_  
Print Name and Code

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### EXEMPTION IV – Software safety and assurance methodologies

If your information pertains exclusively to the release of software safety and assurance methodologies or studies, without disclosing information pertaining to articles controlled by the ITAR or EAR, the information is exempt. If the information falls into this category, you may attest that you are using this exemption by signing below.

\_\_\_\_\_  
Print Name and Code

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### REQUEST FOR ITAR 125.4(b)(13) EXEMPTION – Technical data

If your information is not satisfied by the exemptions stated above, the information might be releasable using exemption 125.4(b)(13) of the ITAR. This exemption allows the release of ITAR controlled information into the public domain and does not require that the information be published in order to qualify. Use of this exemption is afforded only to agencies of the Federal Government. The GSFC Export Control Office will approve this exemption only after receiving assurance that such a release is a responsible action. The following guideline has been established regarding the use of this authority: The information may not offer specific insight into the design, development, production, or manufacture of an identified ITAR controlled item (reference paragraph 2 above) in sufficient detail (by itself or in conjunction with other information in the public domain) to allow potential adversaries to replicate the item, or exploit or defeat controlled U.S. technologies. All signatures of approval on NASA Form 1676 (and in the signature blocks below) expressly indicate concurrence with the responsible use of this exemption when it is requested. If you determine that you have met these criteria, you may attest your determination by signing below, and the GSFC Export Control Office will offer favorable consideration toward approving your request under this special exemption.

\_\_\_\_\_  
Print Name and Code

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

If a NASA Form 1676 does not accompany this request, use of this exemption requires approval from a Branch-level or higher management official.

\_\_\_\_\_  
Print Name and Code

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

The GSFC Export Control Office ☐ approves ☐ does not approve this exemption/request.

**Thomas A. Weisz, Code 232**

Center Export Administrator (CEA)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*If your STI, ITAR, or EAR disclosure does not satisfy any of the above exemptions, please contact the GSFC Export Control Office for further clarification on the releasability of your information under the ITAR or EAR.*